

PTO/SB/36 (05-09)

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**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST**
(35 U.S.C. 122(b)(2)(B)(ii))
**AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING**
(35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	09/986,532
Filing Date	November 9, 2001
First Named Inventor	Jedrick J. Weldon et al.
Title	Method, Computer Program Product, and Apparatus for Collecting Service Level Agreement Statistics in a Communication Network
Atty Docket Number	UUN99002C1
Group Art Unit	2663
Examiner	Soon D. Hyun

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

7/3/2003

Date

202-736-6371

Telephone Number

Signature

Brian C. Oakes

Typed or printed name

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JUL 08 2003

This request must be signed in compliance with 37 CFR 1.33(b).

Technology Center 2600

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

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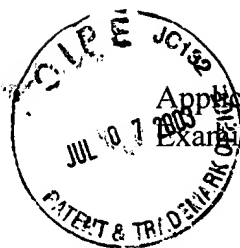
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Date

July 3, 2003

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Application No.: 09/986,532

Examiner: S. Hyun

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jedrick J. WELDON et al.

Application No.: 09/986,532

Examiner: Hyun, S.

Filed: November 9, 2001

Group Art Unit: 2663

Attorney Docket No.: 09710-1111

Client Docket No.: UUN-99-002-C1

For: METHOD, COMPUTER PROGRAM PRODUCT, AND APPARATUS FOR
COLLECTING SERVICE LEVEL AGREEMENT STATISTICS IN A
COMMUNICATION NETWORK

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JUL 08 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

CLARIFICATION OF NON-PUBLICATION STATUS

Dear Sir:

In response to the Notice Regarding Clarification of the United States Patent and Trademark Office's Interpretation of the Provisions of 35 U.S.C. 122(b)(2)(B)(ii)-(iv) published June 5, 2003, Applicants submit this paper to clarify the above-mentioned application's nonpublication status.

Paragraph 2 of the section entitled "(3) Filing a Counterpart Application Before Rescinding a Nonpublication Request" in the Notice states that "...any applicant who has made such a mistake should promptly file a recession of the nonpublication request and explain that the certification was improper."

In response thereto, Applicants submit that the Notice and Certification Under 35 U.S.C. 122(b)(2)(B)(i) filed November 9, 2001 was improper as the above-mentioned application is a

Application No.: 09/986,532

Examiner: S. Hyun

continuation of U.S. Application No. 09/469,507 which was, in fact, foreign-filed. On November 30, 2001 a Notice to Rescind Previous Nonpublication Request was submitted to correct the error.

However, Applicants have learned the Notice was an early version of the Notice to Rescind Previous Nonpublication Request and did not include the proper notice of foreign filing. Accordingly, accompanying this explanation is a substitute Notice to Rescind Previous Nonpublication Request for the record.

Please charge any shortage in fees in connection with the filing of this paper to Deposit Account No. 13-2491 and please credit any excess fees to such deposit account.

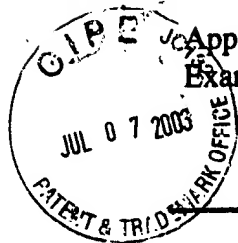
Respectfully submitted,



Brian C. Oakes
Attorney for Applicant
Registration No. 41,467

Date: 7/3/2003

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Application No.: 09/986,532
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